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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
KYLE MATTHEW LISMAN,  
  
Defendant.

CASE NO. 1:25-CR-000041-JLT-SKO

AMENDED JOINT STATUS REPORT AND  
STIPULATION AND ORDER REGARDING  
EXCLUDABLE TIME PERIODS UNDER SPEEDY  
TRIAL ACT;

TRIAL DATE: February 17, 2026  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

**STIPULATION**

1. This case set for jury trial on February 17, 2026. February 17, 2026, follows a Monday that is a Federal Holiday. Accordingly, the parties now move, by stipulation, to continue the jury trial from February 17, 2026 to February 18, 2026 and to exclude the time period between today's date through and including February 18, 2026 under the Speedy Trial Act.

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

2. By previous order, this matter was set for jury trial on February 17, 2026. February 17, 2026 follows a Monday that is a Federal Holiday. Accordingly, the parties now move, by stipulation, to continue the jury trial from February 17, 2026 to February 18, 2026 and to exclude the time period between today's date through and including February 18, 2026 under the Speedy Trial Act.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes substantial volumes of financial records, witness interviews, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

b) Counsel for defendant desires additional time to consult with his/her client, review the charges, conduct investigation and research, review discovery and discuss potential resolution of the case.

c) Counsel for defendant believes that failure to grant the above-requested continuance would deny him/her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

e) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period through and including February 18, 2026, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 29, 2025

ERIC GRANT  
United States Attorney

/s/ JEFFREY A. SPIVAK  
JEFFREY A. SPIVAK  
Assistant United States Attorney

Dated: October 29, 2025

/s/ Roger Ponce  
Roger Ponce  
Counsel for Defendant

### ORDER

The jury trial in this case is continued from February 17, 2026, to February 18, 2026 at 8:30 am, and time is excluded from today's date through and including February 18, 2026 under the Speedy Trial Act. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

The December 17, 2025, status conference before the Hon. Sheila K. Oberto shall remain on calendar as previously ordered.

IT IS SO ORDERED.

Dated: October 29, 2025

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE